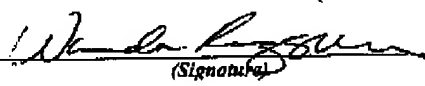
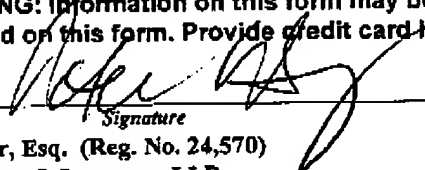
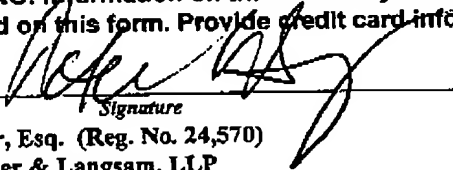


BEST AVAILABLE COPY

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 840.066.202
Applicant(s): Dresch, et al.			
Application No. 09/808,468	Filing Date 3/14/01	Examiner Nyguen	Group Art Unit 2881
Invention: ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER			RECEIVED CENTRAL FAX CENTER FEB 17 2005
I hereby certify that this <u>Amendment Transmittal, Credit card chg form & Response</u> (Identify type of correspondence)			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>)			
on <u>Feb. 17, 2005</u> (Date)			
Wanda Ruggiera (Typed or Printed Name of Person Signing Certificate)			
 (Signature)			
Note: Each paper must have its own certificate of mailing.			

AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. 840.066.202	
Applicant(s): Dresch, et al.						
Application No. 09/808,468	Filing Date 3/14/01	Examiner Nyguen	Customer No. 04617	Group Art Unit 2881	Confirmation No. 4227	
Invention: ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	3 -	20 =	0	x \$9.00	\$0.00	
INDEP. CLAIMS	1 -	3 =	0	x \$43.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature Peter L. Berger, Esq. (Reg. No. 24,570) Levisohn, Berger & Langsam, LLP 805 Third Avenue, 19th Floor New York, New York 10022 Phone (212) 486-7272 Fax (212) 486-0323 CUSTOMER NO. 04617			Dated: Feb. 17, 2005 <div style="border: 1px solid black; padding: 5px;"> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>			
cc:						

P11SMALLREV09

AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. 840.066.202	
Applicant(s): Dresch, et al.						
Application No. 09/808,468	Filing Date 3/14/01	Examiner Nyguen	Customer No. 04617	Group Art Unit 2881	Confirmation No. 4227	
Invention: ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	3 -	20 =	0	x \$9.00	\$0.00	
INDEP. CLAIMS	1 -	3 =	0	x \$43.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature Peter L. Berger, Esq. (Reg. No. 24,570) Levisohn, Berger & Langsam, LLP 805 Third Avenue, 19th Floor New York, New York 10022 Phone (212) 486-7272 Fax (212) 486-0323 CUSTOMER NO. 04617			Dated: Feb. 17, 2005 <div style="border: 1px solid black; padding: 5px;"> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>			
CC:						

P11SMALL/REV05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
FEB 17 2005

In re: Application of: Dresch et. al
Serial No.: 09/808,468
Art Unit: 2881
Examiner: K. T. Nyguen
Filing Date: March 14, 2001
For: Ion Storage Time-Of-Flight
Mass Spectrometer
Attorney Docket No. 840.066.202

February 17, 2005

VIA FAX (703) 872-9306
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

The following is a response to the Office Action of January 12, 2005.

The Examiner has rejected pending Claims 11-13 under 35 U.S.C 102(e) as being anticipated by Whitehouse et al., U.S. Patent No. 5,962,851.

Regarding Claims 11, 12, and 13, the Examiner states:

"Whitehouse et al. (5,962,851) disclose, figs. 10 and 14, a mass spectrometer apparatus for analyzing chemical species. The apparatus includes a time-of-flight mass analyzer 127; an ion pulsing region 135; a detector 131; an ion source 112 for forming an ion beam 134; a two-dimensional multipole ion guide 118 having an entrance end and an exit end, and formed of a plurality of spaced apart rods parallel to each other and an axis of the ion beam 134; electrostatic lenses 123, 124 and 125 controllably applied by the time of pulsing period for pulsing ions transferred into the pulsing region 135 to the time-of-flight mass analyzer 127; and an exit lens 120 for gating the ions in the ion guide 118 to prevent excessive charge buildup in the ion guide 118 (see col. 15, line 32 to col. 19, line 9)."